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Attorney for Defendant

MARQUIS DION PATRICK-HOWARD

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARQUIS DION PATRICK-HOWARD,

Defendant.

Case No.: 2:18-CR-00095-APG-NJK-2

(SIXTH REQUEST)

STIPULATION AND ORDER TO CONTINUE SENTENCING

IT IS HEREBY STIPULATED AND AGREED, by and between **SUSAN CUSHMAN, ESQ.**, Assistant United States Attorney, counsel for the United States of America, and **OSVALDO E. FUMO, ESQ.**, counsel for **MARQUIS DION PATRICK-HOWARD**; that the Sentencing Hearing currently scheduled for February 17, 2021, at 3:30 p.m., be vacated and reset or a date and time convenient to the court, but no earlier than 2 weeks.

1. Counsel for defendant has spoken to defendant and he has no objection to the request of continuance.
2. Defendant is in custody in Pahrump.
3. Counsel has spoken to AUSA Susan Cushman and she does not oppose to the continuance.

- 1 4. Counsel needs additional time to go over some issues with Defendant.
- 2 5. Denial of this request for continuance could result in a miscarriage justice.
- 3 6. For all the above-stated reasons, the ends of justice would best be served by a
- 4 continuance of the Sentencing Hearing until a date and time convenient to the court.
- 5
- 6 This is the 6th request for continuance filed herein.
- 7

8 **DATED** this 12th day of February 2021.

9 /S/ Osvaldo E. Fumo, Esq.
10 **OSVALDO E. FUMO, ESQ.**

11 Nevada Bar No. 5956
12 601 Las Vegas Blvd. South
13 Las Vegas, Nevada 89101
14 Attorney for Defendant

15 **MARQUIS DION PATRICK-HOWARD**

/S/ Susan Cushman
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FINDINGS OF FACT

1. Counsel for defendant has spoken to defendant and he has no objection to the request of continuance.
2. Defendant is in custody in Pahrump.
3. Counsel has spoken to AUSA Susan Cushman and she does not oppose to the continuance.
4. Counsel needs additional time to go over some issues with Defendant.
5. Denial of this request for continuance could result in a miscarriage justice.
6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing until a date and time convenient to the court.

This is the 6th request for continuance filed herein.

Denial of this request for continuance would deny the parties herein the opportunity to effectively and thoroughly prepare for Sentencing Hearing.

ORDER

DATED this 12th day of February, 2021.

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